

EXHIBIT A

ZONING ORDINANCE

BOROUGH OF MIDLAND

Beaver County

Ordinance 550, 10/2/89

**. as amended through
Ordinance 567, September 7, 1993**

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Table 201
Permitted Uses, Conditional Uses, Yard and Area Requirements

District	"S-1" Special	"S-2" Special	"R-1" Single Family Residential	"R-2" Two Family Residential	"R-3" Multi-Family Residential
Permitted Uses	Single family dwelling Parks and Recreation Accessory Uses	Garden Apartments Offices Personal Services Business Services Professional Services Vocational School Public Use	Single Family Dwelling Parks and Recreation Accessory Uses	Single Family Dwelling Two-Family Dwelling Parks and Recreation Accessory Uses	Single Family Dwelling Two-Family Dwelling Garden Apartment Townhouse Parks and Recreation Accessory Uses
Conditional Uses	Recreation Club Farm, Nursery Cemetery	Light Industrial Research Facility Industrial Incubator Data Processing Office	Public School Church and School Recreation Club Farm, Nursery Cemetery Day Care Center	Public School Church and School Recreation Club Public Building Day Care Center	Public School Church and School Recreation Club Public Building Personal Care Home Intermediate Care Home Day Care Center Group Dwelling
Planned Developments	Planned Residential Development Community Economic Revitalization Project	Community Economic Revitalization Project	Planned Residential Development	Planned Residential Development Community Economic Revitalization Project	Planned Residential Development Community Economic Revitalization Project
Minimum Lot Area	10,000 square feet	20,000 square feet	6,000 square feet	5,000 square feet	4,000 square feet
Minimum Lot Area Per Family	10,000 square feet	20,000 square feet	6,000 square feet	4,000 square feet	2,500 square feet
Minimum Lot Width At Building Line	75 feet	75 feet	60 feet	50 feet	35 feet
Minimum Front Yard	35 feet	0 feet	25 feet	20 feet	20 feet
Minimum Side Yard	15 feet	20 feet	9 feet	7 feet	5 feet
Minimum Rear Yard	25 feet	20 feet	25 feet	25 feet	15 feet
Maximum Height	35 feet	45 feet	35 feet	35 feet	45 feet
Maximum Lot Coverage	30 percent	50 percent	35 percent	40 percent	50 percent

(27, §601, cont'd)

(27, §601, cont'd)

common pleas of the county and judicial district wherein the Borough lies.
[Ord. 567]

DETERMINATION - final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

1. The Borough Council;
2. The Zoning Hearing Board; or
3. The Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the subdivision and land development or planned residential development ordinances. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

[Ord. 567]

DEVELOPER - a land owner, or holder of an agreement to purchase land, lessee or other person having a proprietary interest in land or the heirs, successors, assigns of such person who has filed an application for the use, improvement or development of any parcel or structures under this Chapter.

DEVELOPMENT - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, streets, and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the subdivision of land.

DEVELOPMENT PLAN - the provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter shall mean the written and graphic materials referred to in this definition. [Ord. 567]

DRIVE-IN RESTAURANT - a fast food restaurant characterized by a limited menu and primarily catering to drive-in traffic.

DWELLING UNIT - one (1) or more living or sleeping rooms with cooking and sanitary facilities for one (1) person or one (1) family.

FAMILY - either an individual, or two (2) or more persons related by blood or marriage or adoption, or a group of not more than five (5) persons not so related (not counting servants) occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, club, fraternity or hotel.

FLOOR AREA - in a dwelling, the sum of the horizontal areas of all rooms used for habitation but not including cellars, attics, unheated rooms, nor rooms without either a skylight or window. In a store, shop, restaurant, club or funeral home, the sum of the horizontal areas of all space to which the customer has access and excluding storage, office, other preparation or administrative spaces. Gross floor area is the sum of the horizontal area of all floors of a structure and its accessory buildings as measured between the exterior faces of walls.

(27, §601, cont'd)

(27, §601, cont'd)

shall not be less than seven (7) days from the date of the hearing. [Ord. 567]

PRIVATE CLUB - a non-commercial facility operated by and for its members and providing recreational facilities for the use of members and their guests.

REAR YARD DEPTH - the prescribed minimum open space extending across the entire width of the lot between the back line of the building or accessory structure and the rear lot line.

RECYCLING FACILITY - the salvage, collection and recovery of scrap and other resources, but not including any processing operation which does not meet the standards of §406.

RESEARCH FACILITY - a facility for applied research conducted within an enclosed structure where no goods are produced in quantity.

REPORT - any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction. [Ord. 567]

SEAT - a fixed seat in a theatre, auditorium or meeting room, or twenty-four (24) lineal inches of an installed bench or pew, or in the absence of these, six (6) square feet of floor space in the seating area.

SCREENING - screening relative to this Chapter shall mean a fence, evergreen hedge or wall at least six (6) feet high, provided in such a way that it will block a line of sight. The screening may consist either of one (1) or several rows of bush or trees or of a constructed fence or wall.

SIDE YARD WIDTH - the prescribed minimum open space extending from the side of any building or accessory structure to the side lot line throughout the entire depth of the yard. Any lot line not a rear line or a front line shall be deemed as a side line.

SIGN - any surface or structure exposed to public view and intended, used or designed to identify, advertise or promote any product, person, business, institution, organization or place with written graphic or sculptured matter, but not including 1) signs to regulate and control traffic and parking or to promote public health, safety and welfare; (2) religious, patriotic, fraternal, national or cultural symbols, if unaccompanied by lettering and applied to a tower, spire, flagpole, wall or cornice of a structure; nor signs lighted only by reflected light and posted inside a display window where such signs do not obstruct clear vision into the store by police and health authorities.

SINGLE-FAMILY HOUSE - a detached building having accommodation for and occupied by not more than one (1) family.

SPECIAL EXCEPTION - a use permitted in a particular zoning district